

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

AARON J. CAMPOS,

Plaintiff,

v.

MARTIN O'MALLEY, Commissioner of
Social Security,¹

Defendant.

No. 1:23-cv-00940-KJM-BAM

ORDER

Plaintiff Aaron J. Campos initiated this action seeking judicial review of a final decision of the Commissioner of Social Security denying his applications for disability insurance benefits under Title II of the Social Security Act and for supplemental security income under Title XVI of the Social Security Act. The assigned magistrate judge determined the decision of the administrative law judge was not supported by substantial evidence in the record as a whole and was not based upon proper legal standards. *See* ECF No. 24. Therefore, the magistrate judge recommended plaintiff's motion for summary judgment be granted, defendant's request to affirm the agency's determination be denied, the matter be remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings, and the Clerk of this Court be directed to enter

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¹ Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley is substituted as the defendant in this suit.

1 judgment in favor of plaintiff Aaron J. Campos, and against defendant Martin O'Malley,
2 Commissioner of Social Security. *Id.* at 11.

3 The court served the findings and recommendations and notified the parties that any
4 objections were due within fourteen (14) days. *Id.* at 11. The court advised the parties that “the
5 failure to file objections within the specified time may result in the waiver of the ‘right to
6 challenge the magistrate’s factual findings’ on appeal.” *Id.* (quoting *Wilkerson v. Wheeler*,
7 772 F.3d 834, 839 (9th Cir. 2014)). No objections have been filed and the time in which to do so
8 has passed.

9 According to 28 U.S.C. § 636 (b)(1)(c), this court conducted a *de novo* review of the case.
10 Having carefully reviewed the entire matter, the court concludes that the Findings and
11 Recommendations are supported by the record and proper analysis. *See also Jones v. O'Malley*,
12 No. 23-16136, 2024 WL 3963835, at *1 (9th Cir. Aug. 28, 2024) (finding ALJ erred in not
13 articulating “*why*” claimant’s medical record was inconsistent with her account of her symptoms
14 (emphasis in original)).

15 Accordingly, the court **ORDERS**:

- 16 1. The Findings and Recommendations at ECF No. 24 are **ADOPTED**.
- 17 2. Plaintiff’s Motion for Summary Judgment at ECF No. 17 is **GRANTED**.
- 18 3. Defendant’s request to affirm the administrative decision at ECF No. 19 is
19 **DENIED**.
- 20 4. The matter is remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further
21 proceedings.
- 22 5. The Clerk of the Court is directed to enter judgment in favor of plaintiff Aaron J.
23 Campos, and against defendant Martin O'Malley, Commissioner of Social
24 Security, and to close this case.

25 DATED: October 11, 2024.

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28 UNITED STATES DISTRICT JUDGE